

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 329

July 26, 1995, 2:02 p.m.
Page S-10696 Temp. Record

BOSNIA ARMS EMBARGO/General Assembly Vote

SUBJECT: Bosnia and Herzegovina Self-Defense Act of 1995 . . . S. 21. Cohen amendment No. 1851 to the Nunn/Graham/Robb amendment No. 1848 to the Dole substitute amendment No. 1801.

ACTION: AMENDMENT AGREED TO, 57-41

SYNOPSIS: As introduced, S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995, will terminate the United States arms embargo of the Government of Bosnia and Herzegovina.

The Dole substitute amendment would terminate the arms embargo of the Government of Bosnia and Herzegovina following: the receipt of a request from that Government for a termination of the embargo and a request by that Government to the United Nations Security Council for a departure of United Nations Protection Force (UNPROFOR) personnel from Bosnia and Herzegovina; or a decision by the United Nations Security Council or decisions by countries contributing forces to UNPROFOR to withdraw UNPROFOR from Bosnia and Herzegovina. Implementation of that termination would be completed by the earlier of the withdrawal of UNPROFOR or 12 weeks after Bosnia requested a withdrawal, unless the President exercised the waiver authority which would be granted by this amendment.

The Nunn/Graham/Robb amendment would add the requirement for the United States, if the Bosnian Government requested the departure of UNPROFOR personnel or if the countries contributing forces to UNPROFOR decided to withdraw their forces, to introduce immediately and to support in the United Nations Security Council a resolution to terminate the international arms embargo of the Government of Bosnia and Herzegovina. The United States would insist on a vote on that resolution, which at a minimum would require a termination of the embargo no later than the completion date of the withdrawal of UNPROFOR personnel from Bosnia. Additionally, the amendment would add the finding that "The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the contact Group's proposal for Bosnia and Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last resort would be unavoidable."

The Cohen perfecting amendment to the Nunn/Graham/Robb amendment would add that in the event the United Nations

(See other side)

| YEAS (57) | | | NAYS (41) | | NOT VOTING (2) | |
|----------------------------|--------------------------|---------------|----------------------------|--------------------------|-----------------------|------------------------|
| Republicans (40 or 75%) | Democrats (17 or 38%) | | Republicans (13 or 25%) | Democrats (28 or 62%) | Republicans (1) | Democrats (1) |
| Abraham | Jeffords | Akaka | Ashcroft | Biden | Bennett- ² | Hollings- ⁴ |
| Bond | Kassebaum | Baucus | Burns | Bingaman | | |
| Brown | Kempthorne | Boxer | Gramm | Bradley | | |
| Campbell | Lott | Conrad | Grams | Breaux | | |
| Chafee | McCain | Feingold | Gregg | Bryan | | |
| Coats | McConnell | Feinstein | Hatfield | Bumpers | | |
| Cochran | Murkowski | Inouye | Helms | Byrd | | |
| Cohen | Nickles | Kerrey | Hutchison | Daschle | | |
| Coverdell | Packwood | Kohl | Kyl | Dodd | | |
| Craig | Pressler | Lautenberg | Lugar | Dorgan | | |
| D'Amato | Roth | Levin | Mack | Exon | | |
| DeWine | Santorum | Lieberman | Smith | Ford | | |
| Dole | Shelby | Moseley-Braun | Thomas | Glenn | | |
| Domenici | Simpson | Nunn | | Graham | | |
| Faircloth | Snowe | Robb | | Harkin | | |
| Frist | Specter | Simon | | Heflin | | |
| Gorton | Stevens | Wellstone | | Johnston | | |
| Grassley | Thompson | | | Kennedy | | |
| Hatch | Thurmond | | | Kerry | | |
| Inhofe | Warner | | | Leahy | | |
| | | | | Mikulski | | |
| | | | | Moynihan | | |
| | | | | Murray | | |
| | | | | Pell | | |
| | | | | Pryor | | |
| | | | | Reid | | |
| | | | | Rockefeller | | |
| | | | | Sarbanes | | |

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Security Council did not lift the arms embargo after a vote as provided in the Nunn/Graham/Robb amendment, the United States would "promptly endeavor to bring the issue before the General Assembly for decision as provided for in the Assembly's United for Peace Resolution of 1950."

Those favoring the amendment contended:

We have offered this amendment to correct a defect we find in the pending Nunn amendment. That amendment would call on the Security Council to vote to lift the embargo, and would require the United States to support a resolution to that effect. However, it would not require that the embargo be lifted, and, if Russia vetoed the resolution or if the resolution were otherwise defeated or delayed, the embargo would still not be lifted multilaterally. If the United States then unilaterally lifted the embargo, as required by this resolution, it could well precipitate a rift with its allies, or it could even cause a widening of the conflict if Russia decided to respond by arming the Serbians. We have therefore offered the Cohen amendment. The Cohen amendment would provide that in the event that a Security Council resolution to lift the embargo were vetoed or otherwise blocked, the General Assembly of the United Nations would instead vote on lifting the embargo. On two prior occasions the United Nations has voted in favor of taking this step by overwhelming margins. There is great uncertainty, to put it mildly, as to whether the Security Council will vote to lift the embargo. However, such uncertainty does not exist when it comes to a General Assembly vote. The Cohen amendment should therefore please those Senators who are determined to lift the embargo, plus it should please those Senators who are fearful of a rift with our North Atlantic Treaty Organization (NATO) allies and Russia that may come from acting unilaterally. The Cohen amendment, in our estimation, meets the desires of both sides in this debate. It merits our full support.

Those opposing the amendment contended:

Every sovereign nation has the right to defend itself. Voting on this right would effectively deny it. If the right to individual or collective self-defense can be denied by a vote, then it is not a right--it is an authority that is conferred. It does not matter whether the vote would carry or not--simply by voting the United Nations would be arrogating to itself the power to decide if Bosnia would be allowed to defend itself against an invading force. Setting this precedent would have enormous implications. It would make it possible to question, for example, the existence of the North Atlantic Treaty Organization with a Security Council or General Assembly vote. This precedent should not be set. We therefore must oppose the Cohen amendment.